

KRAKOWER DICHIARA LLC
Attorneys and Counselors at Law
www.kdlawllc.com

Michael R. DiChiara
Member
md@kdlawllc.com
Admitted in NJ, NY, and MA

p (201) 746-0303
f (347) 765-1600

307 Bloomfield Avenue
Suite 103
Caldwell, NJ 07006

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VIA ECF

Hon. Susan D. Wigenton
United States District Court Judge
District of New Jersey
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

Re: The Estate Of Kristen McCartney et al. v. Seton Hall University et al.
Civil Action No. 24-6179

Dear Judge Wigenton:

This firm represents Joseph E. Nyre concerning the above referenced matter. I write to request that the Court issue an order dismissing Dr. Nyre from this case with prejudice. The reasons for this request are set forth below.

Dr. Nyre was named as a defendant in the initial complaint filed by Plaintiffs. On September 25, 2024, Dr. Nyre filed a motion to dismiss the complaint against him. On January 7, 2025, this Court entered an order granting Dr. Nyre's motion without prejudice and allowing Plaintiffs to file an amended complaint within thirty days. (Dkt. # 29.) The Court also noted that failure to timely file an amended complaint may result in the dismissal of this matter with prejudice. In this regard, Plaintiffs filed an amended complaint on February 6, 2025. Notably, Plaintiffs did *not* name Dr. Nyre as a defendant in the amended complaint. (Dkt. # 31.) Accordingly, as more than thirty days have passed since the Court's order of January 7, 2025 and Plaintiffs did not list Dr. Nyre as a defendant in the amended complaint, Dr. Nyre respectfully requests that the Court enter an order dismissing him with prejudice.

Thank you for your consideration of this request.

Respectfully submitted,

Michael R. DiChiara

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